

## FORMALITIES LETTER



\*OC00000005274492\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/584,751	06/01/2000	Ian M. Smith	PM 270744

Pillsbury Madison & Sutro LLP  
Intellectual Property Group  
9th Floor  
1100 New York Avenue NW  
Washington, DC 20005-3918



Date Mailed: 08/24/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$588.
  - \$198 for 11 total claims over 20.
  - \$390 for 5 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1408.**

*A copy of this notice **MUST** be returned with the reply.*

02/28/2001 SDENB081 00000019 09584751

*W. A. Brown*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

01 FC:101	710.00 OP
02 FC:102	400.00 OP
03 FC:103	198.00 OP
04 FC:105	130.00 OP

PART 2 - COPY TO BE RETURNED WITH RESPONSE

# NEW SOUTH WALES

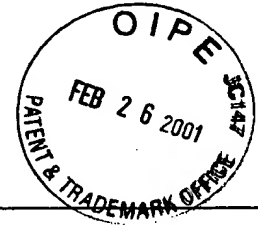
BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT 1995

## DEATH CERTIFICATE

REGISTRATION NUMBER

38075/2000

1 DECEASED	Family Name Christian or Given Name(s)  Date of Death Place of Death Sex and Age Place of Birth Period of Residence in Australia Place of Residence  Usual Occupation Marital Status at Date of Death	WICKHAM Peter John Deacon  13 October 2000 20 Hampden Rd, Five Dock Male 50 years Te-Puke, New Zealand 19 years 20 Hampden Rd Five Dock 2046 Engineer Married
2 MARRIAGE(S)	Place of Marriage Age when Married Full Name of Spouse	Auckland, New Zealand 23 years Nicola Frances Thompson
3 CHILDREN	In order of birth names and ages	Shelley 17 Michael 14
4 PARENTS	Father's Name Mother's Name Mother's Maiden Family Name	Peter Mathew Deacon WICKHAM Theodora Helen SUTHERLAND
5 MEDICAL	Cause of Death and Duration of last illness   Name of Certifying Medical Practitioner or Coroner	Metastatic melanoma 1 year   Dr. N. Aspres
6 BURIAL or CREMATION	Date Place	17 October 2000 Northern Suburbs Memorial Gardens Crematorium North Ryde  I certify that this is a true copy of the original document sighted by me at NTH Ryde on 9 November 2000 Shirley A Sproats JP in NSW #8900767
7 INFORMANT	Name Address  Relationship to deceased	N. Wickham 20 Hampden Rd Five Dock 2046 Widow
8 REGISTERING AUTHORITY	Name Date	Trevor Stacey, Registrar 31 October 2000
9 ENDORSEMENT(S)	Not any	



Before accepting copies, sight unaltered original. The original has a coloured background.

REGISTRY OF BIRTHS  
DEATHS AND MARRIAGES

SYDNEY

01 Nov 2000

I hereby certify that this is a true copy of particulars recorded in a  
Register in the State of New South Wales, in the Commonwealth of Australia

*[Signature]*  
Registrar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

**SMITH, et al.**

**Appln. No.: 09/584,751**

Group Art Unit: Unassigned

Filed: June 1, 2000

Examiner: Unassigned

Title: GAS FLOW MEASUREMENT DEVICE

\* \* \* \* \*

February 26, 2001

**SUBMISSION OF FILING COMPLETION UNDER RULE 53(f)**

Hon. Commissioner of Patents  
Washington, D.C.

Dear Sir:

Enclosed herewith is a Notice to File Missing Parts with appropriate cover sheets.

1. Original Notice to File Missing Parts of Non-provisional Application filed under 37 C.F.R. 1.53(b)
2. Assignment Cover Sheet and Assignment
3. Declaration
4. Certified Copy of Death Certificate of Peter J.D. Wickham

Peter J.D. Wickham, one of the inventors, is deceased. Nicola Frances Wickham, being the wife of the deceased is the legal representative of the estate of Peter J.D. Wickham and has signed the Declaration and Assignment documents in her capacity as Executrix. Also provided is certified copy of the death certificate of Peter J.D. Wickham.

## REMARKS

Applicant believes that the claims are in condition for allowance and requests that the application be processed to issue. If any such questions relating to patent, or both remain unresolved, the Examiner is respectfully invited to tell the undersigned counsel for purpose of this such questions.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Perry E. Van Over

Reg. No.: 42,197

Tel. No.: (202) 861-3545

Fax No.: (202) 822-0944

PEV/rdt  
1100 New York Avenue, N.W.  
Ninth Floor  
Washington, D.C. 20005-3918  
(202) 861-3000



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)  
For Design, Provisional, or Utility ApplicationsPATENT  
APPLICATIONCOMPLETION Under  
Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): SMITH et al.

Appln. No.: 09 | 584,751  
Series Code ↑ | Serial No. ↑Attn: Application Division  
Atty.Dkt. P 270744 | 479653USRMM  
M# | Client Ref

Filed: June 1, 2000

Title: GAS FLOW MEASUREMENT DEVICE

Hon. Commissioner of Patents  
Washington, DC 20231

Date: February 26, 2001

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. Notice to File Missing Parts ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☒ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:

a. ☐ Abstractb. #          pages of Specification (only spec. & claims)☐ Drawing(s)

No of Sheets

05/16/2001 TV0111 00000003 033975 09584751

01 FC:118 1390.00 CH ☐ Fig(s).

4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 09/584,751	June 1, 2000	(2)	
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in AUSTRALIA

Application No.	Filing Date	Application No.	Filing Date
(1) PQ0943	June 11, 1999	(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

9. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☒ Attached: Death Certificate of Peter J.D. Wickham
12. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code	
13. Basic Filing Fee . . . . . Design Application				\$320/\$160		106/26	
Not Design Application				\$710/\$355	+710	101/201	
14. Total Effective Claims	31	minus 20 =	11	x \$18/\$9	+198	103/203	
15. Independent Claims	8	minus 3 =	5	x \$80/\$40	+400	102/202	
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a <u>reissue</u> application)				\$270/\$135	+0	104/204	
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205	
18.				FILING FEE ENCLOSED =	\$1438		
19. <b>Original due date:</b> February 26, 2001							
20. <b>P t i t i n is hereby made</b> to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached				(1 mo)	\$110/\$55 =	+0	115/215
				(2mos)	\$390/\$195 =		116/216
				(3mos)	\$890/\$445 =		117/217
				(4mos)	\$1390/\$695 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	139	
22. If "assignment" box 5 is X'd, add recording fee. . . . .				\$40	+40	581	
23. Petition Fee for				\$130	+0		
24.				TOTAL FEE ENCLOSED =	\$1478		

Our Deposit Account No. 03-3975

Our Order No. 74066

270744

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP**  
**Intellectual Property Group**

1100 New York Avenue, NW  
 Ninth Floor  
 Washington, DC 20005-3918  
 Tel: (202) 861-3000  
 Atty/Sec: PEV/rdt

By Atty: Perry E. Van OverReg. No. 42197Sig: 

Fax: (202) 822-0944  
 Tel: (202) 861-3545

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

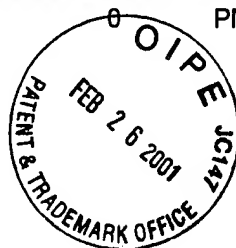
**FILING RECEIPT**

\*OC000000005274491\*


**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

 Address: ASSISTANT SECRETARY AND  
 COMMISSIONER OF PATENT AND TRADEMARKS  
 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/584,751	06/01/2000	2878	0	PM 270744	10	31	8

 Pillsbury Madison & Sutro LLP  
 Intellectual Property Group  
 9th Floor  
 1100 New York Avenue NW  
 Washington, DC 20005-3918


Date Mailed: 08/24/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**
 Ian M. Smith, Westleigh, AUSTRALIA;  
 Peter J.D. Wickham, Five Dock, AUSTRALIA;  
 Shaun S.L. Law, North Ryde, AUSTRALIA;
**Continuing Data as Claimed by Applicant****Foreign Applications**

AUSTRALIA PQ0943 06/11/1999

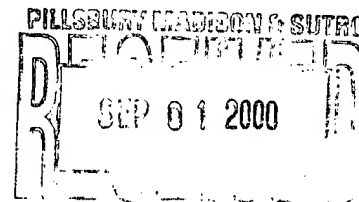
If Required, Foreign Filing License Granted 07/27/2000

**Title**

Gas Flow measurement device

**Preliminary Class**

250



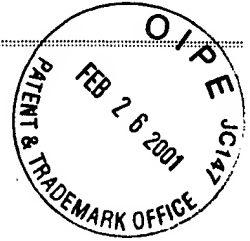
Data entry by : ABAWI, MANIJA

Team : OIPE

Date: 08/24/2000



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**



**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231